

PHILLIP A. TALBERT
Acting United States Attorney
VICTORIA L. BOESCH
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700

Attorneys for the United States

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PARDIS KHANI,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. 1:21-CV-00027-AWI-SKO

**STIPULATION AND ORDER FOR
INDEPENDENT MEDICAL EXAMINATION
PER FEDERAL RULE OF CIVIL PROCEDURE
35**

(Doc. 13)

Plaintiff Pardis Khani and Defendant United States of America respectfully submit this stipulation and proposed order for independent medical examination under Federal Rule of Civil Procedure 35.

The parties hereby stipulate that Plaintiff will submit to an independent medical examination by Dr. D. Michael Hembd, M.D., on December 9, 2021, at 2 p.m. at the following location: Office of Vance Roget, MD, 803 Coffee Road, Suite 6, Modesto, CA 95355.

The examination will not be audiotaped.

No staff or attorneys from the offices of Plaintiff's or Defendant's counsel will attend the examination.

The examining Dr. Hembd may ask, and Plaintiff shall answer, questions relating to the nature and extent of the injuries alleged to have been sustained in the incident that is the subject matter of this

litigation; present symptoms and conditions; medical history, including the manner in which the injuries incurred; prior injuries and disease, and her occupational history. There shall be no inquiry, other than is necessary for purposes of diagnosis and evaluation of the injuries, symptoms, and conditions, into the conduct, events, or circumstances alleged to have produced or contributed to the happening of the incident.

The examining Dr. Hembd may use, and Plaintiff shall cooperate in the use of, accepted diagnostic tests and techniques, but no procedure causing pain or undue discomfort or endangering Plaintiff's life or health shall be used except by order of this court, granted with notice, on a further showing of good cause therefor.

Defendant will provide Plaintiff a copy of Dr. Hembd's report within forty-five (45) days of the examination.

IT IS SO STIPULATED.

PHILLIP A. TALBERT
Acting United States Attorney

Dated: December 6, 2021

By: Victoria L. Boesch
VICTORIA L. BOESCH
Assistant United States Attorney

Attorneys for the United States

Dated: December 6, 2021

By: Adam B. Stirrup (authorized 12/6/21)
ADAM B. STIRRUP
Baradat & Paboojian, Inc.

Attorneys for Plaintiff Pardis Khani

ORDER

IT IS SO ORDERED.

Dated: **December 7, 2021**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE